

S. G. Construction, Inc. and Connecticut Laborers' Funds a/w Laborers' International Union of North America, AFL-CIO. Case 34-CA-5664

SUPPLEMENTAL DECISION AND ORDER

BY CHAIRMAN STEPHENS AND MEMBERS
DEVANEY AND RAUDABAUGH

On August 26, 1992, the National Labor Relations Board issued a Decision and Order¹ in this case against the Respondent, S. G. Construction, Inc., in which the Board directed the Respondent, inter alia, to make whole unit employees, with interest, for any loss of earnings or benefits they may have suffered as a result of the Respondent's failure, since on or about October 27, 1991, to continue in full force and effect all the terms and conditions of its collective-bargaining agreements with the Union. On January 26, 1993, the United States Court of Appeals for the Second Circuit entered its judgment enforcing the Board's Order.²

A controversy having arisen over the amount of backpay due as of March 31, 1993,³ the Regional Director for Region 34 issued an amended compliance specification and notice of hearing on June 11. On July 6, the Respondent filed an answer to the amended compliance specification in which it admitted all the allegations set forth therein. On July 12, the General Counsel filed with the Board a Motion for Summary Judgment and for Issuance of Board Supplemental Decision and Order. On July 14, the Board issued an order transferring proceeding to the Board and Notice to Show Cause why the General Counsel's motion should not be granted. No response to the Notice to Show Cause or opposition to the General Counsel's motion has been filed with the Board.

On the entire record in this proceeding, the Board makes the following

¹ 308 NLRB No. 56.

² The court's judgment was not published.

³ All dates are in 1993, unless stated otherwise.

Ruling on Motion for Summary Judgment

We grant the General Counsel's Motion for Summary Judgment, because the Respondent's answer to the amended compliance specification admits all the allegations set forth therein. Accordingly, we shall order that the Respondent pay the amounts set forth in paragraph 4 of the amended compliance specification.

ORDER

The Respondent, S. G. Construction, Inc., Waterbury, Connecticut, its officers, agents, successors, and assigns, shall pay to each of the below listed funds the amounts set forth opposite their names, plus any necessary additional amount as prescribed in *Merryweather Optical Co.*, 240 NLRB 1213, 1216 fn. 7 (1979):

Connecticut Laborers' Health Fund	\$18,502.00
Connecticut Laborers' Pension Fund	10,323.90
Connecticut Laborers' Annuity Fund	10,056.00
Connecticut Laborers' Legal Services Fund	653.50
New England Laborers' Training Fund	1,022.50

Dated, Washington, D.C. September 20, 1993

James M. Stephens, Chairman

Dennis M. Devaney, Member

John Neil Raudabaugh, Member

(SEAL) NATIONAL LABOR RELATIONS BOARD

312 NLRB No. 58

**S. G. Construction, Inc. *and* Connecticut Laborers'
Funds a/w Laborers' International Union of
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CORRECTION

On September 20, 1993, the National Labor Relations Board issued a Supplemental Decision and Order in the above-captioned proceeding.

Please correct you slip opinion number to read: No. 58 *not* No. 56 as issued.

Dated: September 23, 1993